

Serial No. 10/666,104

**REMARK**

In response to the Examiner's objection to the "adjustable shower" that is not shown in the drawings but is cited in claim 1, "the hose of the adjustable shower" is amended to "the hose" to overcome the objection. The applicant also considers that the hose connected to the adjustable shower has already described in the detail description so no ambiguity will be caused by the amendment of claim 1.

The Examiner considers that the application is the same as the cited reference (U.S. No. 901, 728). However, the valve body of the cited reference is different from the body of the present invention.

With reference to Fig. 3 of the application, the water inlet (12) communicates with the chamber (100) through a middle gap. The first water outlet (13) communicates with the chamber (100) through an upper gap. The second water outlet (14) communicates with the chamber (100) through a lower gap. The upper, middle and lower gaps do not align with one another. The valve core (111) does not have to completely seal the lower and upper gaps to switch the water flow into the first or second water outlets (13, 14). The valve core (111) only has to move under or above the middle gap to switch the water flow to the first or second water outlets (13, 14).

With reference to Fig. 2 of the cited reference, the shower-outlet (4) communicates with the inlet (3) by the annular valve-seat (15). The shampoo-outlet (5) communicates with the inlet (3) through the shampoo valve-seat (19). The spindle (17) must have the washer (16) selectively sealing the annular valve-seat (15) and the washer (18) selectively sealing the shampoo valve-seat (19).

Serial No. 10/666,104

Therefore, the structure and the movement of the application are, in fact, different from the structure and the movement of the cited reference. Claims 1-4 should not be rejected based on 35 U.S.C. 102(b) and 103 (a) and should be allowable.

The applicant believes that the foregoing argument overcomes the rejection to the referenced application and thus early approval of the referenced application is earnestly solicited.

Therefore, since the claims of the present application have been shown to include limitations directed to the features of applicant's control valve for shower which are neither shown, described, taught, nor alluded to in any of the references cited by the Examiner, whether those references are taken singly or in any combination, the Examiner is requested to allow claims 1-4, as amended, of the present application and to pass this application to issue.

Respectfully submitted,

Chen-Yueh Fan



Alan D. Kamrath, Reg. No. 28,227  
NIKOLAI & MERSEREAU, P.A.  
Attorneys for Applicant(s)  
900 Second Avenue South  
Suite 820 International Centre  
Minneapolis, MN 55402  
Tel: (612) 392-7306  
Fax: (612) 349-6556

Dated: August 18, 2005.